

REMARKS

The 35 U.S.C. 103(a) rejections are respectfully but strenuously traversed.

An essential feature of the process of the present invention is the identical composition of the two layers that are irreversibly joined with each other to form a single layer matrix (p. 5). Identical composition means that the two layers are fully identical in composition.

In contradistinction, Senninger merely discloses that both layers of sheet material may comprise polymer material, and further specifies suitable polymer materials. Although both layers may comprise polymer material, Senninger does not specify that the two layers have to consist of the same polymer material. The Examiner's interpretation of Senninger's paragraph on page 1, lines 113-119, of disclosing a first and second base material layer having identical composition appears not to be substantiated but rather based on an ex post analysis.

Furthermore, the mere disclosure that the active substance may be applied as a flowable medium does not teach the technical features of the viscosity of the flowable medium and the application pressure. It should be appreciated that the present invention specifies a viscosity of at least 1.000 mPa·s which means that the viscosity may even be higher. Baghdachi et al. discloses in col. 3, lines 50 to 54 a viscosity of 100 to 500 cps such that a uniform layer can be coated by brushing or spraying. Applicants — and apparently the Examiner as well — are not aware

of any disclosure within the cited references that would indicate to the skilled artisan to utilize a flowable medium having a viscosity that is at least twice as high at the upper limit should be according to Baghdachi et al.

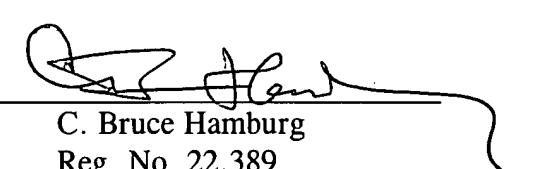
Therefore, the subject matter of claims 1, 4, 6, 8, 9, 10, 11, 13 and 17 would not have been obvious to one of ordinary skill in the art. Moreover, Von Kohorn, which is applied as a tertiary reference in the 35 U.S.C. 103(a) rejection of claims 7, 12, 14, 15 and 18, does not rectify the aforementioned deficiencies of the primary and secondary references.

A one month extension of time is hereby requested for which please charge the government fee of \$110.00 to Deposit Account No. 10-1250. Please charge any fee deficiency or credit any overpayment to the same deposit account.

Respectfully submitted,

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